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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 10/26/2023

October 25, 2023

Via ECF

Hon. Analisa Torres
U.S. District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Fidelity & Guaranty Ins. Co. v. Accredited Surety & Casualty Ins. Co.*
Case No. 1:23-cv-06427-AT

Dear Judge Torres:

This firm represents Fidelity and Guaranty Insurance Company (“Fidelity”) in the above-referenced matter. We submit this letter motion jointly with counsel for the defendant, Accredited Surety and Casualty Company (“Accredited”).

The parties request an extension to submit a joint letter and proposed case management plan to the Court. Undersigned counsel and counsel for Accredited have begun to exchange information to prepare the joint letter. During the course of discussions between counsel, counsel for Accredited pointed out the typographical error in Fidelity’s original complaint. Counsel for Accredited consented to a motion for leave to amend the Complaint and Fidelity filed a motion to amend its complaint earlier today, October 25, 2023.

The parties require additional time to complete the joint letter and civil case management plan because the content of the same depend, in part, on the Court’s ruling on Fidelity’s motion.

Therefore, the parties respectfully request the Court extend the deadline for the parties to submit a joint letter and proposed case management plan fourteen (14) days after the Court’s ruling on Fidelity’s motion for leave to amend, if denied, or fourteen (14) days after the filing of Accredited’s answer to the amended complaint, if Fidelity’s motion is granted.

Thank you for Your Honor’s attention and consideration.

Not a Partnership or Professional Corporation All attorneys are Employees of The Travelers Indemnity Company And its Property Casualty Affiliates

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Respectfully submitted,

/s/Rachel J. Fain

Rachel J. Fain
Usery & Associates

/s/ Edward S. Benson

Edward S. Benson
Nicoletti Spinner Ryan Gulino Pinter LLP

GRANTED. By **November 8, 2023**, the parties shall submit their joint letter and proposed case management plan.

SO ORDERED.

Dated: October 26, 2023
New York, New York



ANALISA TORRES
United States District Judge